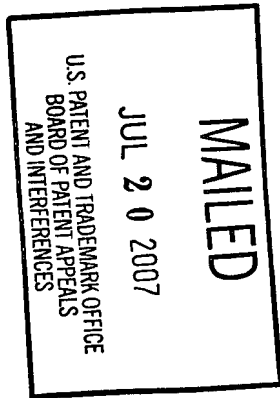


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte REINHOLD HOLTKAMP, SR.

Application 10/046,968

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on July 18, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

An examination of the Image File Wrapper (IFW) reveals that an Examiner's Answer was mailed on February 23, 2006. Section (9) Grounds of Rejection, appearing on page 3, reads as follows:

The Examiner incorporates by reference the Enablement and Written Description rejections set forth in the final Office Action mailed December 2, 2004. The rejections are located beginning with the second paragraph of Page 2 and ending with the third paragraph on Page 6.

According to § 1207.02 of the Manual of Patent Examining Procedure (MPEP), Eighth Edition, Rev. 3 (August 2005):

An examiner's answer should not refer, either directly or indirectly, to any prior Office action without fully restating the point relied on in the answer.

The Examiner's Answer mailed February 23 2006 is deficient because the examiner has not included an explanation for each ground of rejection.

Correction is required.

In addition, according to the Patent Application Location and Monitoring (PALM), a letter withdrawing/vacating an Office Action was mailed on July 10, 2006. We are unable to locate a copy of this correspondence in the IFW.

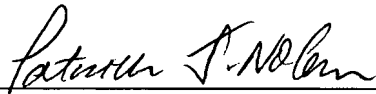
Accordingly, it is

ORDERED that the application is returned to the Examiner:

1) to prepare a PTOL-90 which corrects the "Grounds of Rejection";

- 2) to locate a copy of the missing letter withdrawing/vacating an Office Action which was mailed on July 10, 2006 (according to PALM) and to have a complete copy scanned into the IFW; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
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